

ORDINANCE NO. 19-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING THE UPTOWN TEMECULA SPECIFIC PLAN TO CLARIFY THE SETBACKS OF BUILDINGS AND PARKING SPACES, TO CLARIFY THE PLACEMENT AND/OR RELOCATION OF UTILITIES, TO CLARIFY LEGAL NON-CONFORMING USES, TO INCLUDE CERTAIN LAND USES AS REQUIRED BY STATE LAW, TO MAKE MINOR TYPOGRAPHICAL EDITS, ADOPT UPTOWN TEMECULA STREETScape AND SIDEWALK IMPROVEMENT STANDARDS FOR THE UPTOWN TEMECULA SPECIFIC PLAN, WHICH INCLUDE THE SPECIFICATIONS FOR CONCRETE MATERIALS, STREET LIGHTING, STREET TREES, AND UNDERSTORY PLANTS, AND FINDING THAT PURSUANT TO CEQA GUIDELINES SECTION 15162 AND BASED ON THE ADDENDUM TO THE ORIGINAL EIR, NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED (LONG RANGE PLANNING APPLICATION NO. LR16-0223 AND LR17-0724)

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals and Procedural Findings. The City Council of the City of Temecula does hereby find, determine and declare that:

A. On November 17, 2015, the Temecula City Council adopted the Uptown Temecula Specific Plan and directed staff to prepare a streetscape beautification plan for the Uptown Temecula Specific Plan.

B. In February of 2016, staff initiated the preparation of the Uptown Temecula Streetscape and Sidewalk Improvement Standards and entered into an agreement with Spurlock Landscape Architects to assist with the preparation of the streetscape and sidewalk improvement standards.

C. In April of 2017, staff identified a need to amend the Uptown Temecula Specific Plan to make clarifications for the setbacks of buildings and parking spaces, the placement and/or relocation of utilities, clarification of legal non-conforming uses, the allowance of certain land uses as required by state law, and to make minor typographical edits.

D. In July and August of 2017, staff along with Spurlock Landscape Architects, held two community workshops to obtain the input into the development of sidewalk landscape standards.

E. On March 20, 2019, the Planning Commission held a public hearing to consider whether to recommend the adoption of the proposed amendment to the Specific Plan, and the proposed Streetscape and Sidewalk Improvement Standards. City staff presented a report, and interested persons had an opportunity to and did testify either in support or in opposition to the proposed Project. At the conclusion of the March 6, 2019 Planning Commission hearing, and after due consideration of the entire record before the Planning Commission, including both an oral and written staff report and public comment, the Planning Commission adopted Resolution No. 19-12, entitled “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEMECULA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE ENTITLED “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING THE UPTOWN TEMECULA SPECIFIC PLAN, TO CLARIFY THE SETBACKS OF BUILDINGS AND PARKING SPACES, THE PLACEMENT AND/OR RELOCATION OF UTILITIES, TO CLARIFY LEGAL NON-CONFORMING USES, TO INCLUDE CERTAIN LAND USES AS REQUIRED BY STATE LAW, TO MAKE MINOR TYPOGRAPHICAL EDITS AND TO ADOPT UPTOWN TEMECULA STREETSCAPE AND SIDEWALK STANDARDS FOR THE UPTOWN TEMECULA SPECIFIC PLAN, WHICH INCLUDE THE SPECIFICATIONS FOR CONCRETE MATERIALS, STREET LIGHTING, STREET TREES, AND UNDERSTORY PLANTS, AND MAKING THE DETERMINATION THAT THE PROPOSED STREETSCAPE AND SIDEWALK STANDARDS AND AMENDMENTS TO THE UPTOWN TEMECULA SPECIFIC PLAN ARE EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (LONG RANGE PLANNING APPLICATION NO. LR16-0223 AND LR17-0724)”

F. On April 23, 2019, the City Council of the City of Temecula considered the proposed Project including the proposed amendments to the Specific Plan and the proposed Uptown Temecula Streetscape and Sidewalk Improvement Standards, at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The City Council considered all the testimony and any comments received regarding the proposed Specific Plan amendment, and Streetscape and Sidewalk Improvement Standards prior to and at the public hearing.

SECTION 2. Legislative Findings. Based on the evidence and all other applicable information presented, the City Council makes the following findings regarding the Specific Plan:

A. Pursuant to Temecula Municipal Code Section 17.16.020(E), the City Council in amending the Specific Plan and adopting the Streetscape and Sidewalk Improvement Standards finds determines and declares that:

(1) The proposed Specific Plan amendments and Streetscape and Sidewalk Improvement Standards are consistent with the General Plan and Development Code.

The Specific Plan amendments and Streetscape and Sidewalk Improvement Standards are consistent with the direction, goals and policies of the General Plan, as amended. The Specific Plan amendments and Streetscape and Sidewalk Improvement Standards impose appropriate standards and requirements with respect to land development in order to maintain the overall quality of life within the City. The Specific Plan, when approved, was reviewed and determined

to be in conformance with the City's General Plan, as amended. The approved Specific Plan set policies and standards that protect the health, safety and welfare of the community. In addition, the Specific Plan establishes specific building design guidelines and standards that ensure compatibility and interface with the surrounding community in terms of density, design, and circulation. The proposed amendments to the Uptown Temecula Specific Plan include clarifications to the setbacks of buildings and parking spaces, the placement and/or relocation of utilities, legal non-conforming uses, the allowance of certain land uses as required by state law, minor typographical edits, and the adoption of a streetscape and sidewalk standards for the Uptown Temecula Specific Plan, which include the specifications for concrete materials, street lighting, street trees, and understory plants. These amendments do not conflict with any goals, policies or standards of the Temecula General Plan and do not conflict with any goals, policies or development standards of the adopted Uptown Temecula Specific Plan.

(2) The proposed Specific Plan amendments and Streetscape and Sidewalk Improvement Standards would not be detrimental to the public interest, health, safety, convenience or welfare of the City.

The proposed amendments to the Uptown Temecula Specific Plan project has been reviewed by the Public Works and Fire Departments staff to ensure conformance with the Development, Building, and Fire codes. These codes contain provisions designed to ensure the protection of the public health, safety, and general welfare. The Specific Plan, when approved, was reviewed and determined to be in conformance with the City's General Plan, as amended. The approved Specific Plan set policies and standards that protect the health, safety and welfare of the community. In addition, the Specific Plan establishes specific building design guidelines and standards that ensure compatibility and interface with the surrounding community in terms of density, design, and circulation. The proposed amendments to the Specific Plan include clarifications to the setbacks of buildings and parking spaces, the placement and/or relocation of utilities, legal non-conforming uses, the allowance of certain land uses as required by state law, minor typographical edits, and the adoption of a streetscape and sidewalk standards for the Uptown Temecula Specific Plan, which include the specifications for concrete materials, street lighting, street trees, and understory plants. Therefore, the proposed Specific Plan amendments and Streetscape and Sidewalk Improvement Standards are compatible with the health, safety and welfare of the community.

(3) The subject property is physically suitable for the requested land use designations and the anticipated land use developments.

The proposed Specific Plan amendments and Streetscape and Sidewalk Improvement Standards do not change the land use designations or anticipated land use developments as proposed under the Specific Plan. The proposed Specific Plan amendments and Streetscape and Sidewalk Improvement Standards provide clarifications development standards, state required land uses, and provide specific improvement standards for streets and sidewalks within the Specific Plan area.

(4) The proposed Specific Plan amendments and Streetscape and Sidewalk Improvement Standards shall ensure development of desirable character which will be compatible with existing and proposed development in the surrounding neighborhood.

The approved Specific Plan is a form-based code, which emphasizes the physical form of buildings to foster predictable built results as the organizing principle for the code, rather than focusing on the strict separation of uses. The proposed Specific Plan amendments and Streetscape and Sidewalk Improvement Standards clarify development standards and requirements related to legal non-conforming uses, and provide specific improvement standards for streets and sidewalks within the Specific Plan area, thereby, ensuring the Specific Plan area will be developed in the desired character as anticipated with the adoption of the Specific Plan and continue to provide for a mix of land uses including commercial and residential uses, consistent with the surrounding area.

SECTION 3. Uptown Temecula Specific Plan Amendment.

A. The City Council hereby amends portions of the Uptown Temecula Specific Plan and directs staff to incorporate the changes as indicated in Exhibit “A” of this Ordinance.

SECTION 4. Uptown Temecula Streetscape and Sidewalk Improvement Standards.

A. The City Council hereby adopts the Uptown Temecula Streetscape and Sidewalk Standards as shown in Exhibit “B” of this Ordinance, and amends the Uptown Temecula Specific Plan to incorporate the Uptown Temecula Streetscape as a new Appendix “G” to the Uptown Temecula Specific Plan.

SECTION 5. CEQA

In November 2015, the City Council certified an EIR for the Uptown Temecula Specific Plan (State Clearing House #2013061012). Pursuant to State CEQA Guidelines Section 15164, an Addendum to the EIR was prepared because some changes or additions to the certified EIR are necessary, but none of the conditions described in State CEQA Guidelines Section 15162 are present and therefore a subsequent EIR does not need to be prepared. Staff was directed to file a Notice of Determination.

SECTION 6. Severability.

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this Ordinance shall be and remain in full force and effect.

SECTION 7. Effective Date.

This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 8. Notice of Adoption.

The City Clerk shall certify to the adoption of this Ordinance and cause it to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula
this 14th day of May, 2019.

Michael S. Naggar, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF TEMECULA)

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Ordinance No. 19-05 was duly introduced and placed upon its first reading at a meeting of the City Council of the City of Temecula on the 23rd day of April, 2019, and that thereafter, said Ordinance was duly adopted by the City Council of the City of Temecula at a meeting thereof held on the 14th day of May, 2019, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk